

REMARKS

Claims 1-15 are currently pending in this application, of which claims 1 and 8 are independent. In the Office Action dated May 31, 2007, the Examiner rejected claims 1-3, 5, 6, 8-10, 12, and 13 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,157,719 ("*Wasilewski*") in view of U.S. Patent No. 6,058,478 ("*Davis*"). Claims 7 and 14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Wasilewski* in view of *Davis* and in further view of U.S. Patent No. 6,055,314 ("*Spies*"). Claims 4 and 11 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Wasilewski* in view of *Davis* and in further view of U.S. Patent No. 5,623,637 ("*Jones*").

The undersigned counsel for Applicants conducted a telephonic interview with the Examiner on October 8, 2007. During the interview, the Examiner indicated that the above amendments to independent claims 1 and 8 should overcome the current rejections over the combination of *Wasilewski* and *Davis* under 35 U.S.C. § 103(a). Applicants submit that the amendments add no new subject matter. Support for the amendments may be found, for example, at page 2, paragraph 2, page 6, last paragraph to page 7, paragraph 1, page 7, last paragraph to page 8, paragraph 1, page 13, paragraphs 3 and 4, and in FIG. 3 and its corresponding descriptions.

During the interview, the Examiner confirmed that the "selectively loading" feature before this amendment is not shown by *Wasilewski* (Office Action at 3). The Examiner mentioned that *Davis* shows a cryptographic device that is remotely upgraded, for example, in response to relaxed export restrictions on cryptographic technology by a particular "upgrade entity," such as a manufacturer. (See Abstract.) The Examiner agreed that *Davis* fails to show or suggest "selectively loading said

enabling algorithm of at least two of the plurality of providers into the user unit of at least one of the selective users based on the respective identifying codes.” The Examiner further agreed that Davis does not show or suggest delivery of digital services by a plurality of providers. In view of the above, the Applicants submit that Davis additionally fails to show or suggest selectively loading the enabling algorithm into the user unit of the selective users “for enabling the at least one of the selective users to make use of said respective determined services,” as required by amended claim 1. Therefore, at least because *Wasilewski* and *Davis*, either alone or in combination, fail to show or suggest “selectively loading said enabling algorithm of at least two of the plurality of providers into the user unit of at least one of the selective users based on the respective identifying codes for enabling the at least one of the selective users to make use of said respective determined services,” the Examiner indicated during the interview that claim 1, thus amended, should overcome the rejection based on the combination of *Wasilewski* and *Davis* under 35 U.S.C. § 103(a).

Applicants submit that independent claim 8 has been similarly amended to include corresponding limitations to those discussed above in connection with amended claim 1, and is, therefore, also not obvious over the combination of *Wasilewski* and *Davis*. Dependent claims 2-7 and 9-15 depend from independent claims 1 and 8, respectively, and are, therefore, additionally allowable at least because of their dependency on an allowable base claim.

In view of the foregoing remarks, Applicants submit that this claimed invention, as amended, is neither anticipated nor rendered obvious in view of the prior art references cited against this application. Applicants therefore request the Examiner's

reconsideration and reexamination of the application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account 06-0916.

Respectfully submitted,

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By: 

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